



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF MANAGEMENT AND BUDGET
STATE PLANNING COORDINATION

June 11, 2007

Sean Sokolowski
Capital School District
945 Forest Street
Dover, De 19904

RE: PLUS 2007-05-02; Central Dover Middle School

Dear Mr. Sokolowski:

Thank you for meeting with State agency planners on May 23, 2007 to discuss the proposed plans for the Central Dover Middle School. According to the information received, you are planning to construct a 21,000 sq. ft. gymnasium on the current school site and demolish the existing gymnasium. There was no site plan submitted as the purpose of this PLUS meeting was to determine where the new gym should be placed.

The comments in this letter reflect only issues that are the responsibility of the agencies represented at the meeting. The school district will also need to comply with any Federal, State and local regulations regarding this property. We also note that as the City of Dover is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the City.

Executive Summary

The following section includes some site specific highlights from the agency comments found in this letter. This summary is provided for your convenience and reference. The full text of this letter represents the official state response to this project. ***Our office notes that the applicants are responsible for reading and responding to this letter and all comments contained within it in their entirety.***

State Strategies/Project Location

- This project will be located within the City of Dover, within an Investment Level 1 area according to the Strategies for State Policies and Spending and on the site of an existing school. The State has no objections to the new gymnasium being constructed provided it is in compliance with all City of Dover ordinances and regulations.
- All school sites must be approved by the directors of the Department of Education, the Office of Management and Budget, and the Office of State Planning Coordination. The School District should contact the Department of Education to begin the school site approval process.
- At the PLUS meeting there were issues regarding placement of the gymnasium discussed. The State suggests that once the school district continues to work with DNREC regarding the site the new gym to ensure that it is not placed in the flood zone as noted in their comments below.

Natural and Cultural Resources

- Tidally-influenced wetlands are subject to regulatory requirements under the State of Delaware's Tidal Wetlands Regulations (Delaware Code, Title 7, Chapter 66). Since tidal wetlands are likely to be found on this parcel, it is strongly advised that the applicant contact the Wetlands Section of the Division of Water Resources before proceeding beyond the initial planning stages of this project.
- In recognition of the need to protect water quality, the Watershed Assessment Section strongly recommends that a 100-foot upland buffer (planted in native vegetation) be established or maintained from the landward edge of all wetlands and water bodies.

The following are a complete list of comments received by State agencies:

Office of State Planning Coordination – Contact: David Edgell 739-3090

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Division of Historical and Cultural Affairs – Contact: Alice Guerrant 739-5685

If this development goes forward, the DHCA would like the opportunity to examine, take photographs and document information about the gymnasium prior to any demolition or ground disturbing activities

Department of Transportation – Contact: Bill Brockenbrough 760-2109

Because the school does not take access on a state-maintained road, it is outside DelDOT's jurisdiction. We have no comments on this application.

The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-9071

Soils

According to the Kent County soil survey update, Hambrook, Sassafra, and Longmarsh/Indiantown were mapped in the immediate vicinity of the proposed construction. Hambrook and Sassafra are well-drained upland soils that, generally, have few limitations for development. Longmarsh/Indiantown soils are very poorly-drained wetland associated floodplain soils; these soils have severe limitations for development and should be avoided. Most of the soils on this parcel are considered suitable for development.

Wetlands

According to the Statewide Wetland Mapping Project (SWMP) mapping, tidally-influenced riverine and palustrine wetlands bound the entire eastern boundary of subject parcel.

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Based on a review of existing buffer research, an adequately-sized buffer to effectively protect wetlands and streams is, in most circumstances, at least 100 feet in width. In recognition of this research and the need to protect water quality, the Watershed Assessment Section strongly recommends that a 100-foot upland buffer (planted in native vegetation) be established or maintained from the landward edge of all wetlands and water bodies. This is particularly important along the eastern boundary of the project, adjacent to the St. Jones River.

Impervious Cover

Based on a review of the PLUS application, no projected estimate of post-development surface imperviousness was indicated. The applicant should make sure that all sources of post-development surface imperviousness (rooftops, stormwater management structures, and all paved surfaces) are fully accounted for in the finalized calculation for surface imperviousness.

Since studies link increases in impervious cover to decreases in water quality, the applicant is strongly encouraged to pursue best management practices (BMPs) that can mitigate or reduce some of the most likely adverse impacts. Reducing the amount of surface imperviousness through the use of pervious paving materials ("pervious pavers") in lieu of asphalt or concrete in conjunction with an increase in forest cover preservation or additional tree plantings are some examples of practical BMPs that could easily be implemented to reduce surface imperviousness.

TMDLs

Total Maximum Daily Loads (TMDLs) for nitrogen and phosphorus have been promulgated through regulation for the St. Jones watershed. A TMDL is the maximum level of pollution allowed for a given pollutant below which a "water quality limited water body" can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. Although TMDLs are required by federal law, states are charged with developing and implementing standards to support these desired use goals. In the St. Jones watersheds, a

post-development TMDL reduction level of 40% will be required for nitrogen and phosphorus. Additionally, a TMDL reduction level of 90% will be required for bacteria.

TMDL Compliance through the Pollution Control Strategy (PCS)

As stated above, Total Maximum Daily loads (TMDLs) for nitrogen and phosphorus have been promulgated through regulation for the St. Jones watershed. The TMDL calls for a 40% reduction in nitrogen and phosphorus, while a TMDL reduction of 90% will be required for bacteria; both nutrient and bacteria reductions must be from baseline conditions. The Department developed an assessment tool to evaluate how your proposed development may reduce nutrients and bacteria to meet the TMDL requirements. Additional reductions may be possible through the implementation of Best Management Practices such as wider vegetated buffers along watercourses, increasing passive wooded open space, and the use of stormwater management treatment trains. Contact Lyle Jones at 302-739-9939 for more information on the assessment tool.

Water Supply

The project information sheets state water will be provided to the project by the City of Dover via a public water system. DNREC records indicate that the project is located within the public water service area granted to the City of Dover under Certificate of Public Convenience and Necessity 90-CPCN-07.

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-9944.

Sediment and Erosion Control/Stormwater Management

A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. The plan review and approval as well as construction

inspection will be coordinated through the Division of Soil and Water Conservation Sediment and Stormwater Program. Contact Elaine Webb with the Sediment and Stormwater Program at (302) 739-9921, for details regarding submittal requirements and fees. It is strongly recommended that you contact the Sediment and Stormwater Section to schedule a pre-application meeting to discuss the sediment and erosion control and stormwater management components of the plan. The site topography, soils mapping, pre- and post-development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion.

Underground Storage Tanks

There are eight inactive LUST site(s) located near the proposed project:

Quick Car Wash, Facility # 1-000607, Project # K9612212

Dover Exxon, Facility # 1-000118, Project # K8610056

Playtex Family Products, Facility # 1-000088, Project # K9101024

Kings Court Apartments, Facility # 1-000418, Project # K9105098

DNREC R & R Building, Facility # 1-000300, Project # K0012150

Wesley College, Facility # 1-000064, Project # K9602027

Central Middle School, Facility # 1-000252, Project # K9505111

B/R Corp, Facility # 1-000571, Project # K9605086

No environmental impact is expected from the above inactive/active LUST site(s). However, should any underground storage tank or petroleum contaminated soil be discovered during construction, the Tank Management Branch must be notified as soon as possible. It is not anticipated that any construction specifications would need to be changed due to petroleum contamination. However, should any unanticipated contamination be encountered and PVC pipe is being utilized, it will need to be changed to ductile steel with nitrile rubber gaskets in the contaminated areas.

Site Investigation and Restoration

Two SIRB sites were found within a half mile radius of the proposed site:

1. Archives Building (DE-1133) is located south of the proposed site. PAH was detected in site soil samples during intrusive activities. An SI was conducted in 1998, after which a remedial action plan was implemented. DNREC foresees no negative impact due to this site.
2. Silver Lake Park Fill Area (DE-85) is located north of the proposed site. A SI was conducted in 1985. PAH was detected in soil samples also. This site is a low priority site; therefore, DNREC foresees no negative impact on the proposed site.

State Fire Marshal's Office – Contact: R.T. Leicht 739-4394

The subject facility is within the jurisdiction of the City of Dover and therefore the Delaware State Fire Marshal's Office defers comments to the City government. Preliminary meetings with the appropriate agencies of the City government are encouraged prior to formal submittal.

Department of Agriculture - Contact: Scott Blaier 698-4500

The Delaware Department of Agriculture has no objections to the School District's plan. The project is located within the City of Dover, and the *Strategies for State Policies and Spending* encourages environmentally responsible development in Investment Level 1 areas.

Right Tree for the Right Place

The Delaware Department of Agriculture Forest Service encourages the developer to use the "Right Tree for the Right Place" for any design considerations. This concept allows for the proper placement of trees to increase property values in upwards of 25% of appraised value and will reduce heating and cooling costs on average by 20 to 35 dollars per month. In addition, a landscape design that encompasses this approach will avoid future maintenance cost to the property owner and ensure a lasting forest resource.

Native Landscapes

The Delaware Department of Agriculture and the Delaware Forest Service encourages the developer to use native trees and shrubs to buffer the property from the adjacent land-use activities near this site. A properly designed forested buffer can create wildlife habitat corridors and improve air quality to the area by removing six to eight tons of carbon dioxide annually and will clean our rivers and creeks of storm-water run-off pollutants. To learn more about acceptable native trees and how to avoid plants considered invasive to our local landscapes, please contact the Delaware Department of Agriculture Plant Industry Section at (302) 698-4500.

Public Service Commission - Contact: Andrea Maucher 739-4247

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

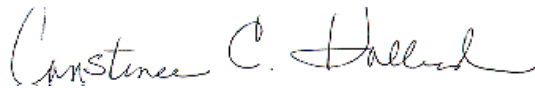
Department of Education – Contact: John Marinucci 735-4055

The Department of Education supports this project.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland".

Constance C. Holland, AICP
Director

CC: City of Dover